

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the instant application are respectfully requested in view of the above amendments and the following remarks, which place the application into condition for allowance.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-74 and 79 are pending in the application. Claims 75-78 were previously withdrawn without prejudice or disclaimer to subject matter. Claims 1, 13, 24, 35, 46, and 58, which are independent claims, are hereby amended. Support for this amendment is provided throughout the Specification as originally filed, e.g. paragraphs [0040]-[0047] of the Specification as published. No estoppel as to equivalents is intended.

No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTION UNDER 35 U.S.C. §103(a)

Claims 1-3, 7, 12, 24, 26-27, 34, and 79 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,081,402 to Koleda ("Koleda") in view of U.S. Patent No. 5,446,453 to Nagamoto et al. ("Nagamoto").

Claims 5, 6, 13-16, 18, 23, and 29-30 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koleda in view of Nagamoto and U.S. Patent No. 6,735,454 to Yu et al. ("Yu").

Claims 9, 31, 35, 37-38, 42, and 45 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koleda in view of Nagamoto and U.S. Patent No. 6,058,292 to Terreault (“Terreault”).

Claims 11, 33, 46-48, 52, and 56-57 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koleda in view of Nagamoto and U.S. Patent No. 5,636,243 to Tanaka (“Tanaka”).

Claims 58, 60-61, 63, 68-69, and 71 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koleda in view of Nagamoto and U.S. Patent No. 6,128,470 to Naidu (“Naidu”).

III. RESPONSE TO REJECTIONS

Independent claim 1 recites, *inter alia*:

“A radio-frequency (rf) control system ...
wherein the energization of the receiver is not synchronized with the rf signal,
wherein the preamble pulse is not a data command signal,
wherein when the controller causes the receiver to be energized, and
an activation duration of the receiver is substantially shorter than the period of a preamble pulse.” (Emphasis added)

As understood by the Applicants, the newly cited reference, Nagamoto, relates to a rf communication system between a transmitter and a receiver in home automation system. As disclosed in line 52, col. 8 – line 47, col. 9, and as shown in Figs. 5A-5F of Nagamoto, the transmitter and receiver are energized according to a determined frequency (T80=T95). The energizations are triggered by signals generated by timers; a first signal 8a for triggering the energization of the transmitter and a second signal 9e for triggering the energization of the receiver. The signals 8a and 9e are synchronized in such a way that the receiver is energized when the transmitter sends a signal. Synchronization means are provided as disclosed in line 64, col. 11 – line 55, col. 12 of Nagamoto.

Therefore, contrary to the instant invention, Nagamoto requires a synchronization means to synchronize the energization of the receiver and the energization of the transmitter with the command signal. In other words, Nagamoto fails to teach or suggest the above identified feature of claim 1. Specifically, Nagamoto fails to disclose or suggest a rf control system wherein the energization of the receiver is not synchronized with the rf signal, wherein the preamble pulse is not a data command signal, wherein when the controller causes the receiver to be energized, and an activation duration of the receiver is substantially shorter than the period of a preamble pulse, as recited in independent claim 1. In fact, none of the cited references teach or suggest the above identified features of claim 1.

The Examiner has relied upon portions of Nagamoto to teach one of the energization paradigms (energizing the receiver once sometime within a period of a preamble pulse) as previously recited in claim 1. However, Nagamoto, as considered in its entirety or any of the other cited references, Koleda, Yu, Terreault, Tanaka, and Naidu, considered either alone or in combination with Nagamoto, fail to teach or suggest that the energization of the receiver is not synchronized with the rf signal, the preamble pulse is not a data command signal, the controller causes the receiver to be energized, and an activation duration of the receiver is substantially shorter than the period of a preamble pulse, as recited in independent claim 1.

For at least the foregoing reasons, Applicants respectfully submit that independent claim 1 patentably distinguishes over the cited art, and is therefore patentable.

Since independent claims 13, 24, 35, 46 and 58 recite limitations similar to those recited in independent claim 1, they are also patentable over the cited art.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each

dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference, there is the basis for a contrary view.

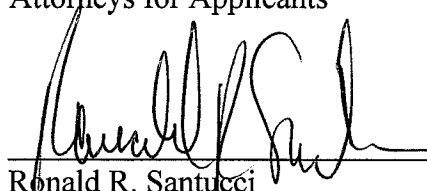
CONCLUSION

In view of the foregoing amendments and remarks, all of the claims in this application are patentable over the cited art, and an early and favorable consideration thereof is solicited.

Any fee occasioned by this paper may be charged, or overpayment credited to, Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: _____


Ronald R. Santucci
Reg. No. 28,988

Telephone: (212) 588-0800
Facsimile: (212) 588-0500